

The Appeals Board finds that claimant has not met his burden to prove his dizziness was caused or aggravated by his fall. The fall at work occurred on August 20, 1992. The

medical records reflect that on August 18, 1992, claimant sought medical care after he had become dizzy and had fallen at home. At the initial visit after his fall at work, claimant made no complaint of dizziness either at the time of or after his fall. The physician treating the claimant for a leg injury resulting from the fall at work concluded:

“...Mr. Hudgins's subsequent fall at Boeing on 8/20/92 was likely due to the dizziness he had and was not the causation of all of his dizziness problems. After reviewing his records, it is my opinion that his dizziness problems are pre-existent to his injury at Boeing on 8/20/92.”

These facts, which are not adequately explained or rebutted, lead the Appeals Board to the conclusion that claimant has not met his burden of establishing the dizziness arose out of and in the course of his employment.

AWARD

WHEREFORE, the Appeals Board hereby reverses the January 4, 1994, Order of the Administrative Law Judge and denies the claimant's request for temporary total or medical treatment for dizziness.

IT IS SO ORDERED.

Dated this ____ day of April, 1994.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

cc: Michael V. Madden, P.O. Box 3886, Wichita, Kansas 67201-3886
Eric K. Kuhn, 700 Fourth Financial Center, Wichita, Kansas 67202
Shannon S. Krysl, Administrative Law Judge
George Gomez, Director